

(
SLP(C)No. 2973 OF 2001

ITEM No.206

Court No. 3

SECTION XIIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.2973/2001

(From the judgement and order dated 14/09/2000 in AAO 1243/98
of The HIGH COURT OF A.P AT HYDERABAD)

ENTURI YESODA & ORS.

Petitioner (s)

VERSUS

T. GURRAMMA & ORS.

Respondent (s)

(With Appln(s). for interim Relief/directions)
(For Final Disposal)

Date : 12/07/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. M Srinivas R Rao, Adv.
Mr. Srinivas Kotni, Adv.
for Ms. Neeru Vaid,Adv.

For Respondent No.1 Mr. M Vijaya Bhaskar, Adv.
for Mr. D. Mahesh Babu,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
Heard counsel for five minutes.

Leave granted.

The appeal is allowed. No costs.

.SP1

(Alka Dudeja)
Court Master

(V.P. Tyagi)
Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3991 OF 2002@@
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(Arising out of S.L.P.(C) No. 2973 of 2001)

ENTURI YESODA & ORS. ... Appellant (s)

VERSUS

T. GURRAMMA & ORS. ... Respondent (s)

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....J
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Leave granted.

We have gone through the judgment under challenge and are of the view that it deserves to be set aside as the learned Judge, without giving any findings on the issues involved, dismissed the appeal. This was not the way an appeal has to be decided. We, therefore, set aside the judgment under challenge and remit the matter to the High Court for decision afresh on merits. The High Court shall decide the matter after recording findings on the issues involved in the appeal.

The appeal is allowed. No costs.

.....L.....I.....T.....T..T....T.....T.....T.....J
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.....J.
(V.N. KHARE)

.....J.
(ASHOK BHAN)

NEW DELHI
JULY 12, 2002.